IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

WRIT PETITION NO.1440 OF 1991

Ashok Kumar Jain, proprietor,
M/s.Jain Brothers, Petitioners

vs.

Union of India & ors. Respondents

Mr.K.R.Bulchandani i/b.M/s.Kamal & Co. for the petitioners.

Ms.S.V.Bharucha for the respondents.

CORAM : R. M. LODHA &
J. P. DEVADHAR,JJ.

DATED : 28th April, 2006

P.C.

In the light of the fact that the subject goods have already been released pursuant to the interim order dated 26th April, 1991 upon the petitioner executing I.T.C. Bond for 100% C.I.F. value of the goods, we are of the view that merits of the diverse contentions raised in the writ petition need not be examined by us and interest of justice shall be subserved if the respondent no.3 adjudicates and passes an appropriate order.

2. In view thereof, we dispose of the rule by the following order:

(i) The respondent no.3 shall adjudicate the

matter expeditiously and preferably within one year from the date of the receipt of this order.

(ii) In case the adjudication order is adverse to the petitioner, the respondent no.3 shall not invoke the Bond for a period of 12 weeks from the adjudication order.

No costs.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)